

DEPARTMENT OF HUMAN SERVICES POLICY AND PROCEDURES		
Reference: 02-06 Utah Code 67-19-6.7	Effective Date: July 31, 1997 Revision Date: October 1, 1997	Page 1 of 3
SUBJECT: ON-CALL POLICY		
PURPOSE: To establish consistent Department policy and procedures on reporting and compensating employees that are required by management to be placed on “On-call” status outside of their scheduled work hours. This policy will ensure compliance with Fair Labor Standards Act, Utah Code 67-19-6.7, and State of Utah Human Resource Management Rules R477-8-6(8)(c) for employee reporting “On-call” time.		

POLICY

On-Call Definition

Pursuant to State Human Resource Management Rules R477-8-6(8)(c) employee time is considered “On-call time” only when an employee is **required by management** to be available for a call to duty. Being available means an employee is required by management to be reachable to work during a specified time frame of coverage for work beyond an employee’s regular work schedule. This requirement is to be stipulated in writing prior to being considered on “on-call” status consistent with procedures for “on-call” as identified in the PROCEDURES section of this policy.

Compensation Term

Pursuant to State Human Resource Management Rules R477-8-6(8)(c) employees required by management to be available for “on-call time” will be compensated at a rate of 1 hour for every 12 hours the employee is “on-call.”

Reporting On-Call Time

Employees record “on-call” time as “on-call paid” and not as “hours worked” on their time sheet. “On-call” time reported is to be paid out the following pay period.

Actual Hours Worked

Pursuant to State Human Resource Management Rules R477-8-6(8)(c)(ii) any time an employee actually worked during the “on-call period” shall be recorded in 15 minute increments as “hours worked” in addition to “on-call time.”

PROCEDURES

Procedures for On-Call

It is management's responsibility to complete the following process **prior to** placing an employee on “on-call” status:

1. Complete a signed up-front agreement between the employer and employee, stating that the employee is “on-call” based upon managements determination that there are legitimate agency operational needs and that the "on-call" designation is not an employment right or employee job entitlement.

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2. Ensure that the employee is aware of the terms of compensation for employee time while placed on “on-call” status.
3. Management is to notify employee in writing stating specific time frame and number of hours the employee is to be made available during the “on-call” status period.
4. Determine reasonable time periods for designated “on-call” employees to respond to calls. The amount of time required by employer for employee to respond should take into account commute distance based upon geographic constraints.
5. Ensure that the employee is notified that they may be subject to disciplinary action for a breach of the Utah Department of Human Services on-call agreement.
6. At least annually, all up-front agreements for employees who are placed on “on-call” status must be reviewed for applicability and signed between the employer and employee or when the terms and conditions in “on-call agreement” warrant change.
7. Monitor the use of “on-call” including determining the frequency of calls per employee.

Calling of Employees That Are Not On On-Call Status

Employees who are not on “on-call” status but have been called back to work by management are not eligible or entitled to “on-call time” compensation. To be eligible for on-call compensation an employee must have been required by management to be "on-call" and to complete the Utah Department of Human Services On-Call Agreement.

Voluntary Reachability

Employees who voluntarily agree to be reachable are not considered on “on-call status”. This includes employees who are provided state-issued equipment: pagers, cellular phones, and second telephone lines.

State-Issued Communication Equipment

State-issued equipment is provided as a means of communication between the employer and employee and does not constitute “on-call status” for the employee or a job requirement to be “on-call” as a condition of employment.

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Policy: Reporting Actual Time Worked During the On-Call Period

Pursuant to State Human Resource Management Rules R477-8-6(8)(c)(ii) any time an employee actually works during the “on-call period” shall be recorded in *increments of 15 minutes* as “hours worked” in addition to “on-call time.” Compliance with established agency procedures on documentation (such as telephone logs, travel reports and case logs) of actual time worked must be completed by the employee *prior to reimbursement* for hours worked during the “on-call” period.

Procedures:

The following procedure shall be used by an employee to record actual time worked during an “on-call” period:

- Telephone Logs - Each job related telephone call received or initiated by the employee during the “on-call” time period is to be tracked for actual air time. The air time minutes of all telephone calls received or initiated by the employee during the “on-call” time period are to be totaled and *rounded to the nearest fifteen-minute increment* as “hours worked.”
- Other Work Time - Any time an employee actually works during their authorized “on-call” period shall be totaled at the end of the twelve (12) hour “on-call” period and rounded to the nearest fifteen (15) minute increment.
- Travel Time - Regular time to the job and back home is not work time. However, travel to the job and back home by an employee who receives an emergency call outside of regular hours or during an “on-call” period to report back to work is working time.



DATE: 10-1-97

Robin Arnold-Williams, Executive Director
Department of Human Services

UTAH DEPARTMENT OF HUMAN SERVICES
ON-CALL AGREEMENT
July 1997

EMPLOYEE NAME: _____

DIVISION/OFFICE: _____

SUPERVISOR NAME: _____

AGREEMENT TERMS & CONDITIONS

I hereby agree to be placed on "on-call" status with the Department of Human Services and understand that management has required that I make myself available to return to work during management specified dates and time frames.

My signature also denotes:

- 1) I acknowledge, I have freedom of movement in personal matters and that I am not being restricted to a specified location, but have made myself available for call to duty.
- 2) I acknowledge that I will respond to a call or page within _____ minutes. If I am required to report to a specified work site, I will do so within _____ minutes.
- 3) I will be compensated at my regular hourly rate for "on-call time" at a rate of 1 hour for every 12 hours that I am on "on-call" status.
- 4) All "on-call" time accrued is to be reported on the State time sheet for that pay period worked.
- 5) Any time actually worked during the "on-call period" is recorded in 15 minute increments as "hours worked" in addition to "on-call time." Any time actually worked is to be reported on the State time sheet for that pay period worked.
- 6) Any breach of this agreement may result in disciplinary action.

Employee Signature

Date

Supervisor Signature

Date